IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 14195 of 2007(M)

PETITIONER:

SMT.MARYKUTTY JOSEPH, VATHAPPALLIL HOUSE
PALLIPPURAM P.O., CHERTHALA, ALAPPUZHA,
REPRESENTED BY THE POWER OF ATTORNEY HOLDER
MR.A.R.K.KARTHA, PALAKKOTTU MADOM, KARAPPUZHA,
KOTTAYAM - 3.

BY ADV. SRI.V.GIRI

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, INDUSTRIES (A) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY,
THIRUVANANTHAPURAM - 4.

3. THE GEOLOGIST,
SPECIAL OFFICE, CHERTHALA.

BY GOVERNMENT PLEADER SMT. ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.14195 OF 2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE ORDER OF THE GOVERNMENT DATED 22.4.2004.

EXT.P2: TRUE COPY OF THE ORDER OF THE GOVERNMENT DATED 22.6.2004.

EXT.P3: TRUE COPY OF THE ORDER OF THE DIRECTOR OF MINING AND GEOLOGY GRANTING PERMISSION TO PETITIONER TO REMOVE THE MINED OUT SILICA SAND.

EXT.P4: TRUE COPY OF THE APPLICATION SUBMITTED BY PETITIONER ON 18.4.2007.

/TRUE COPY/

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO.14195 OF 2007

DATED THIS THE 11th DAY OF JUNE, 2007

JUDGMENT

The petitioner held a mining lease on the strength of which sand was mined but the petitioner could not remove the mined sand before the expiry of the lease period. The petitioner applied for extension of time for the removal of the mined sand. By Ext.P3 order, the 2nd respondent granted extension of time by six months on the specific condition that no mining activities are permitted and no further extension will be granted in respect of that grant. The petitioner submits that the quantity of mined sand comes to 6245 MT and the petitioner could remove only 2961 MT within the stipulated time. The petitioner seeks further time to remove the balance quantity of 3284 MT. The petitioner has filed Ext.P4 representation in this matter before the 2nd respondent. The petitioner seeks a direction to the 2nd respondent to consider and dispose of Ext.P4 expeditiously.

2. I have heard the learned Government pleader also. In the facts and circumstances of the case, there would be a direction to the 2nd respondent to consider and pass appropriate orders on Ext.P4 as

expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd